

Appl. No.: 09/975,556
Amdt. Dated: 10/25/2005
Off. Act. Dated: 07/28/2005

REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested in view of the foregoing amendments and discussion presented herein.

1. **Allowance of Claims.**

The Examiner's allowance of Claims 3-60 is noted with thanks. Non-allowed claims 1 and 2 have been canceled.

2. **Rejection of Claims 1-2 under 35 U.S.C. §§ 102 and 103.**

Claims 1 and 2 have been cancelled, rendering their rejection moot. Applicants do not acquiesce in the grounds for rejection of claims 1 and 2, but have opted to cancel the rejected claims to permit issuance of the allowed claims.

3. **Objection to Claim 16 (second occurrence).**

The Examiner has objected to the second instance of claim 16 as improper numbering. Applicant respectfully directs the Examiner's attention to the First Preliminary Amendment, filed March 6, 2002, in which the first occurrence of claim 16 was cancelled, and the second occurrence of claim 16 was amended. The listing of claims in the instant Amendment reflects the version of claim 16 as amended in the First Preliminary Amendment.

4. **Objections to Drawings.**

The Examiner has objected to the drawings because each figure does not include "at least one element name and at least one element number". There is no requirement that each figure contain "at least one element name and at least one element number".

Figures 1, 2, 5, and 6 contain pseudocode, for which figure numerals would be inappropriate. The pseudocode is specifically identified as such in the Detailed Description of the Invention.

Figure 3A-3B, and 4A-4C are topology diagrams, which, contrary to the Examiner's determination, do have labeled features. These labeled features are

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referred to in the Detailed Description of the Invention. Although numbers are preferred (See MPEP 608.02; 37 CFR 1.84(p)(1)); there is no requirement that reference indicia be numbers—other types of indicia may be employed. For example, Figure 4b contains labels for node *i*, neighbors *p* and *q*, and a destination *j*. These labels are consistent with notation in the art, and throughout the entire specification.

Due to the nature of the instant invention, it is respectfully submitted that adding more (or different) reference indicia to the application would make it unduly incomprehensible, and that standard notation for the invention type is currently being employed, which includes labels when it is beneficial to the description. Thus, it is respectfully requested that the objection to the drawings be withdrawn.

5. Objections to Specification.

a. Reference to Figures: The Examiner objects to the specification because it does not refer to the figures via element names and element numbers. Arguments made in section 4 hereinabove are specifically incorporated in this subsection as well.

b. Acronyms: The Examiner has required definitions for the acronyms DUAL, DASM, LPA, and MPDA, found in the Description of the Background Art. Each of these terms is simply the name of a specific algorithm, well known to one of ordinary skill in the art. The words for which the letters stand has now been included in the specification, immediately following the first instance of each term; specifically:

DUAL: Diffusing Update Algorithm

DASM: Diffusing Algorithm for Shortest Multipath

LPA: the Loop-free Path-finding Algorithm

MPDA: Multiple-path Partial-topology Dissemination Algorithm

c. Sentence Fragment: The Examiner has indicated that a sentence fragment exists at page 3, lines 3-4, "Furthermore, LPA is maintained loop-free at every instant." This sentence has been amended to read, "Furthermore, LPA (the Loop-free Path-finding Algorithm) is maintained loop-free at every instant."

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d. Reference Date Information: The Examiner has requested more specific publication date information for the IDS reference entitled "A Simple Approximation to Minimum Delay Routing", which is currently dated "1999". Enclosed, as Exhibit A, is a copy of the citation and abstract for the reference, listing the publication date as "1999". The ISBN is also present. Exhibit B is the output from a search of the ISBN database, in which the publication date is also listed as "1999".

As a practical matter, this particular reference is included in the Proceedings of the 1999 ACM SIGCOMM conference. Applicant advises that these proceedings were published in October 1999. More specific publication information is not available to either the applicant or the undersigned.

6. Amendments Made Without Prejudice or Estoppel.

Notwithstanding the amendments made and accompanying traversing remarks provided above, Applicants have made these amendments in order expedite allowance of the currently pending subject matter. However, Applicants do not acquiesce in the original ground for rejection with respect to the original form of these claims. These amendments have been made without any prejudice, waiver, or estoppel, and without forfeiture or dedication to the public, with respect to the original subject matter of the claims as originally filed or in their form immediately preceding these amendments. Applicants reserve the right to pursue the original scope of these claims in the future, such as through continuation practice for example.

7. Conclusion.

Based on the foregoing, Applicants respectfully request that the various grounds for rejection in the Office Action be reconsidered and withdrawn with respect to the presently amended form of the claims, and that a Notice of Allowance be issued for the present application to pass to issuance. No new matter has been added.

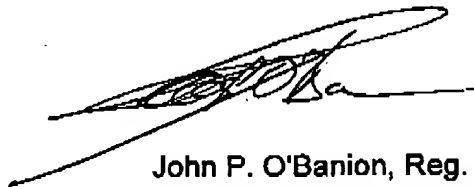
In the event any further matters remain at issue with respect to the present application, Applicants respectfully request that the Examiner please contact the

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undersigned below at the telephone number indicated in order to discuss such matter prior to the next action on the merits of this application.

Date: 10/25/05

Respectfully submitted,



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